

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants:	Sze-Moey VOON et al.	§	Confirmation No.:	8851
		§		
Serial No.:	10/800,235	§	Group Art Unit:	2841
		§		
Filed:	03/12/2004	§	Examiner:	Hung S. Bui
		§		
For:	Housing Having A Cable	§	Docket No.:	200314056-1
	Conduit And Related	§		
	Systems And Methods	§		

APPEAL BRIEF

Mail Stop Appeal Brief – Patents

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Date: June 6, 2008

Sir:

Appellants hereby submit this Appeal Brief in connection with the above-identified application. A Notice of Appeal was electronically filed on April 8, 2008.

TABLE OF CONTENTS

I.	REAL PARTY IN INTEREST	3
II.	RELATED APPEALS AND INTERFERENCES.....	4
III.	STATUS OF THE CLAIMS	5
IV.	STATUS OF THE AMENDMENTS.....	6
V.	SUMMARY OF THE CLAIMED SUBJECT MATTER.....	7
VI.	GROUND OF REJECTION TO BE REVIEWED ON APPEAL.....	10
VII.	ARGUMENT.....	11
A.	Overview of Joynes.....	11
B.	Anticipation Rejections of Claims 1, 4, 6, 10, 13-16, 18, 22, and 24-25	12
C.	Obviousness Rejections of Claims 3, 19-20, 23, and 28.....	14
D.	Obviousness Rejections of Claims 5, 7-9, 11-12, 17, and 26-27	14
E.	Conclusion.....	15
VIII.	CLAIMS APPENDIX.....	16
IX.	EVIDENCE APPENDIX	22
X.	RELATED PROCEEDINGS APPENDIX	23

I. REAL PARTY IN INTEREST

The real party in interest is Hewlett-Packard Development Company, L.P. (HPDC), a Texas Limited Partnership, having its principal place of business in Houston, Texas. HPDC is a wholly owned affiliate of Hewlett-Packard Company (HPC). The Assignment from inventor Joel Jacobs to Lunar Design, Inc., was recorded on October 20, 2004, at Reel/Frame 015267/0506. The Assignment from the other inventors and Lunar Design, Inc., to HPDC was recorded on November 24, 2004, at Reel/Frame 015407/0902.

Appl. No. 10/800,235
Appeal Brief dated June 6, 2008
Reply to final Office action of January 31, 2008

II. RELATED APPEALS AND INTERFERENCES

Appellants are unaware of any related appeals or interferences.

III. STATUS OF THE CLAIMS

The status of the claims is as follows:

Originally filed claims: 1-20.
Claim cancellations: 2 and 21.
Added claims: 21-28.
Presently pending claims: 1, 3-20 and 22-28.
Presently appealed claims: 1, 3-20 and 22-28.

Appl. No. 10/800,235
Appeal Brief dated June 6, 2008
Reply to final Office action of January 31, 2008

IV. STATUS OF THE AMENDMENTS

No claims were amended after the final Office action dated January 31, 2008.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The following provides a concise explanation of the subject matter defined in each of the claims involved in the appeal, referring to the specification by page, and line number and to the drawings by reference characters, as required by 37 CFR § 41.37(c)(1)(v). Each element of the claims is identified with a corresponding reference to the specification and drawings where applicable. Note that the citation to passages in the specification and drawings for each claim element does not imply that the limitations from the specification and drawings should be read into the corresponding claim element.

It is desirable to implement a system and method that is capable of carrying cables that are needed to connect between a computer interface and an external device in a manner which keeps the cable from snagging on another object. The use of a passage that is connected to the housing of a computer in which the cables may run keeps the cables out of a users way such that the cables will not snag.

Claim 1 recites a housing for an electronic system (Figure 2 – 34, 30; p. 3, ¶11-15) comprising an interface opening (Figure 2 – 53; p. 4, ¶3-4) which is operable to expose an interface connector (Figure 2 – 52, 54; p. 4, ¶7-11) to circuitry disposed within the housing (p. 4, ¶3-11). The interface connector is mounted to an interface held by the housing (Figure 2 – 52, 54, 41; p. 4, ¶7-11). The electronic system also comprises a passage (Figure 2 – 32; p. 3, ¶11-13) having a first opening adjacent to the interface opening (Figure 2 – 46; p. 3, ¶23-26), a second opening (Figure 2 – 48; p. 3, ¶23-26), and a third opening (Figure 2 – 50; p. 3, ¶23-26). At least one of the openings opens to an environment outside of the housing without exposing the circuitry to the outside environment (Figure 2; p. 4, ¶3-11). The circuitry that is disposed in the housing is not disposed in the passage (Figure 2; p. 4, ¶3-11). The passage is operable to hold a communication medium (Figure 2 – 38a, 38b; p. 3, ¶13-18) that includes a communication connector attached to the interface connector through the first opening and the second or third openings (Figure 2; p. 3, ¶13-26).

Claim 13 recites an electronic system (Figure 2 – 30; p. 3, ¶11-15) which comprises circuitry having an interface (Figure 2 – 41; p. 4, ¶7-11) and a housing that holds the circuitry (Figure 2 – 34; p. 3, ¶11-15). The housing defines an interface opening (Figure 2 – 53; p. 4, ¶3-4) in which the interface is mounted and a passage having a first opening adjacent to the interface (Figure 2 – 46; p. 3, ¶23-26), a second opening (Figure 2 – 48; p. 3, ¶23-26), and a third opening (Figure 2 – 50; p. 3, ¶23-26). The circuitry that the housing holds is not disposed in the passage (Figure 2; p. 4, ¶3-11). The passage is operable to hold a communication medium (Figure 2 – 38a, 38b; p. 3, ¶13-18) coupled to the interface and to a device external to the housing without exposing the circuitry to the outside environment (Figure 2; p. 5, ¶6-23). The medium extends from the interface through the first opening and the second or third openings (Figure 2; p. 3, ¶13-26).

Claim 15 recites a computer system comprising computer circuitry having an interface (Figure 2 – 41; p. 4, ¶7-11) and a housing that holds the circuitry (Figure 2 – 34; p. 3, ¶11-15). The housing defines an interface opening (Figure 2 – 53; p. 4, ¶3-4) in which the interface is mounted and a passage having a first opening adjacent to the interface (Figure 2 – 46; p. 3, ¶23-26), a second opening (Figure 2 – 48; p. 3, ¶23-26), and a third opening (Figure 2 – 50; p. 3, ¶23-26). The circuitry that the housing holds is not disposed in the passage (Figure 2; p. 4, ¶3-11). The passage is operable to hold a communication medium (Figure 2 – 38a, 38b; p. 3, ¶13-18) coupled to the interface and to a device external to the housing without exposing the circuitry to the outside environment (Figure 2; p. 5, ¶6-23). The medium extends from the interface through the first opening and the second or third openings (Figure 2; p. 3, ¶13-26).

Claim 16 recites a method for coupling an external device to an interface mounted to a housing of an electronic system (Figure 2; p.3, ¶13-26, p. 4, ¶7-11). The housing defines a passage and holds circuitry of the electronic system (Figure 2 – 46; p. 3, ¶23-26). The method comprises connecting a communication medium to the interface (Figure 2; p. 4, ¶3-11), inserting the communication medium through the passage via first and second passage openings (Figure 2;

p. 3, ¶23-26), and connecting the communication medium to the external device (Figure 2; p. 3, ¶18-21). The first opening is adjacent to the interface and the second opening is adjacent to the external device. The circuitry that the housing holds is not disposed in the passage (Figure 2; p. 4, ¶3-11).

Claim 25 recites an electronic system comprising circuitry (Figure 2 – 41; p. 4, ¶7-11), a housing which contains the circuitry (Figure 2 – 34; p. 3, ¶11-15), and a passage defined by a portion of the housing that has a sidewall and a bottom (Figure 3 – 32; p. 5, ¶24-31). The circuitry includes an interface (Figure 2 – 41; p. 4, ¶7-11) and a processor operable to execute a program that causes the processor to perform a function (p. 6, ¶16-18; ¶7). The housing also has a back that holds the interface (Figure 2 – 34; p. 3, ¶11-15). The bottom of the housing is disposed between the passage and the circuitry (Figure 3 – 80; p. 5, ¶24-31). The passage has a first opening adjacent the interface (Figure 2 – 46; p. 3, ¶23-26), a second opening (Figure 2 – 48; p. 3, ¶23-26), and a third opening (Figure 2 – 50; p. 3, ¶23-26). The circuitry that the housing contains is not disposed in the passage (Figure 2; p. 4, ¶3-11). The passage is operable to hold a communication medium (Figure 2 – 38a, 38b; p. 3, ¶13-18) coupled to the interface and to a device external to the housing without exposing the circuitry to the outside environment (Figure 2; p. 5, ¶6-23). The medium extends from the interface through the first opening and the second or third openings (Figure 2; p. 3, ¶13-26).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Appellants seek review of the following grounds of rejection:

1. Whether claims 1, 4, 6, 10, 13-16, 18, 22, and 24-25 are anticipated under 35 U.S.C. § 102(b) over U.S. Pat. No. 5,372,225 ("Joynes").
2. Whether claims 3, 19-20, 23, and 28 are obvious under 35 U.S.C. § 103(a) over Joynes.
3. Whether claims 5, 7-9, 11-12, 17, and 26-27 are obvious under 35 U.S.C. § 103(a) over Joynes in view of U.S. Pat. No. 5,143,868 ("Caveney").

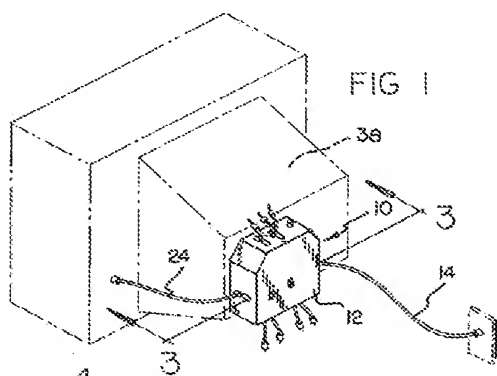
VII. ARGUMENT

The claims do not stand or fall together. Instead, Appellants present separate arguments for various independent and dependent claims. After a concise discussion of cited art, each of these arguments is separately argued below and presented with separate headings and sub-headings as required by 37 CFR § 41.37(c)(1)(vii).

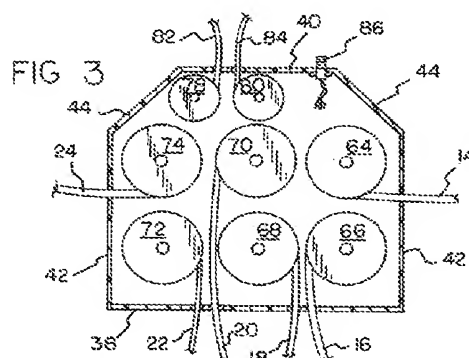
A. Overview of Joynes

As shown in Figures 1 and 3 below, Joynes discloses an organizer for storing excess audio and video cable for a television system (Abstract).

Joynes – Figure 1

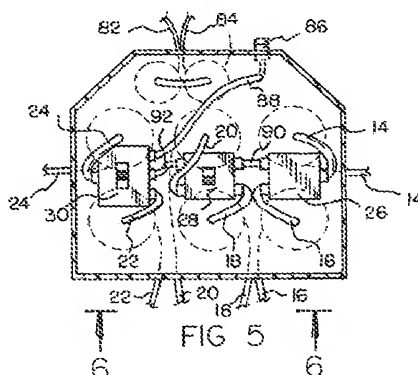


Joynes – Figure 3



Joynes describes an “audio and video cable storage organizer 10 generally [comprising] a housing 12 in which a plurality of reels are rotatably mounted.” (col. 4, ¶18-21). Coaxial cable is supported by each of the reels which may be extended outside of the housing so that the cable may be connected to electronic devices, such as a VCR or a cable box. (col. 4, ¶21-24).

Joynes – Figure 5



As shown above, an interconnection compartment allows for the signals carried by main input cable 14, to-cable box cable 16, from cable-box cable 18, to-VCR cable 20, and from-VCR cable 22 to be transmitted on the to-TV cable 24 to the television 38 allowing the “transfer of the signal from the main input cable 14, which is connected to a cable outlet or the like, through the appropriate devices, such as the cable converter box or VCR mentioned heretofore, to the television 38.” (col. 5, ¶58 – col. 6, ¶37). Thus, Joynes discloses a system where signals from cables are split to enable a separate cable to carry information to the television.

B. Anticipation Rejections of Claims 1, 4, 6, 10, 13-16, 18, 22, and 24-25

Claims 1, 4, 6, 10, 13-16, 18, 22, and 24-25 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Joynes. Appellants respectfully traverse this rejection because the cited art fails to teach or suggest every limitation of the claims.

Independent claim 1 includes the limitations: “the passage being operable to hold a communication medium that includes a communication connector attached to the interface connector and that extends from the interface connector through the first opening *and* the second or third openings.” In the Final Office Action, the Examiner cites to Joynes as allegedly teaching this limitation. (FOA dated 1/31/08; p. 2, ¶23 – p. 3, ¶3). Appellants respectfully disagree.

Joynes teaches the use of an interconnection compartment inside a passage which allows for the signals carried by a main input cable, a to-cable box cable, a from cable-box cable, a to-VCR cable, and a from-VCR cable to be transmitted on a to-TV cable which in turn transmits the signal to a television. (col. 5, ¶58 – col. 6, ¶37). This allows the “transfer of the signal from the main input cable 14, which is connected to a cable outlet or the like, through the appropriate devices, such as the cable converter box or VCR mentioned heretofore, to the television 38.” (col. 6, ¶34-37).

None of the cables of Joynes enter the passage in one opening and exit the passage in another opening. The cables of Joynes attach to splitters which

split their signals so that a separate to-TV cable may carry their signals to the television interface. (col. 5, ¶58 – col. 6, ¶37). The interface communication medium of Joynes, the to-TV cable, is stored on reel 74 in the passage and ends in a connection with splitter 30; thus, the communications medium that attaches to a interface connector of Joynes does not extend from the interface connector through a first opening *and* through a second or third opening as required by claim 1. Caveney is also deficient in this regard. Accordingly, Appellants respectfully contend that the Examiner erred in rejecting claim 1 and its dependent claims 3-12, 22, and 26-28.

Claim 13 recites in part, “wherein the medium extends from the interface through the first opening, *and* the second or third openings.” This limitation is similar to the limitations discussed above under claim 1. Thus, Appellants respectfully contend that the Examiner erred in rejecting claim 13, along with its dependent claim 14, for at least the same reasons as claim 1.

Claim 15 includes the limitations: “wherein the medium extends from the interface through the first opening, *and* the second or third openings.” This limitation is similar to the limitations discussed above under claims 1 and 13. Thus, Appellants respectfully contend that the Examiner erred in rejecting claim 15 for at least the same reasons as claims 1 and 13.

Claim 15 also includes the limitation: “*computer* circuitry having an interface.” Joynes only discloses the use of its communications medium with a television; a *computer* is never contemplated at all. Caveney only discloses telephone jacks, coaxial connectors, and fiber-optic connectors to be connected to any type of communications medium. Thus, neither Joynes or Caveney disclose the use of *computer* circuitry having an interface as required by claim 15. Hence, for this additional reason, Appellants respectfully contend that the Examiner erred in rejecting claim 15.

Claim 16 recites in part, “inserting the communication medium through the passage via first *and* second openings.” This limitation is similar to the limitations discussed above under claims 1, 13, and 15. Thus, Appellants respectfully

contend that the Examiner erred in rejecting claim 16 and its dependent claims 17-20 and 23-24, for at least the same reasons as claim 1 and 13.

Claim 25 includes the limitations: “wherein the medium extends from the interface through the first opening, *and* the second or third openings.” This limitation is similar to the limitations discussed above under claims 1, 13, 15, and 16. Thus, Appellants respectfully contend that the Examiner erred in rejecting claim 25 for at least the same reasons as claims 1, 13, and 16.

Claim 25 also includes the limitation: “circuitry including an interface and a *processor* operable to execute a program that causes the *processor* to perform a function.” Joynes only discloses the use of its communications medium with a television; a *processor* is never contemplated at all. Caveney only discloses telephone jacks, coaxial connectors, and fiber-optic connectors to be connected to any type of communications medium. Thus, neither Joynes or Caveney disclose the use of a *processor* capable of executing a program as required by claim 25. Hence, for this additional reason, Appellants respectfully contend that the Examiner erred in rejecting claim 25.

C. Obviousness Rejections of Claims 3, 19-20, 23, and 28

Claims 3, 19-20, 23, and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Joynes. Claims 3 and 28 depend from claim 1 and claims 19, 20, and 23 depend from claim 16. “If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.” MPEP § 2143.03 (2007) (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)). As discussed in VII(B), independent claims 1 and 16 are nonobvious and allowable over Joynes and Caveney. Thus, claims 3, 19-20, 23, and 28 are also nonobvious. For at least this reason, claims 3, 19-20, 23, and 28 are allowable over the cited art.

D. Obviousness Rejections of Claims 5, 7-9, 11-12, 17, and 26-27

Claims 5, 7-9, 11-12, 17, and 26-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Joynes in view of Caveney. Claims 5, 7-9, 11-12, and 26-27 depend from claim 1 and claim 17 depends from claim 16. “If an independent claim is nonobvious under 35 U.S.C. 103, then any claim

depending therefrom is nonobvious.” MPEP § 2143.03 (2007) (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)). As discussed in VII(B), independent claims 1 and 16 are nonobvious and allowable over Joynes and Caveney. Thus, claims 5, 7-9, 11-12, 17, and 26-27 are also nonobvious. For at least this reason, claims 5, 7-9, 11-12, 17, and 26-27 are allowable over the cited art.

E. Conclusion

For the reasons stated above, Appellants respectfully submit that the rejections should be reversed. Appellants believe that they have complied with each requirement for an appeal brief. If any member of the Board of Appeals has any questions or otherwise feels it would be advantageous, he or she is encouraged to telephone the undersigned at (713) 238-8000.

In the course of the foregoing discussions, Appellants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims.

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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VIII. CLAIMS APPENDIX

1. (Previously presented) A housing for an electronic system, the housing comprising:

an interface opening operable to expose an interface connector that is mounted to an interface held by the housing and coupled to circuitry disposed within the housing; and

a passage having a first opening adjacent to the interface opening, having a second opening and a third opening, wherein at least one of the openings opens to an environment outside the housing without exposing the circuitry to the outside environment, the circuitry disposed in the housing not being disposed in the passage, the passage being operable to hold a communication medium that includes a communication connector attached to the interface connector and that extends from the interface connector through the first opening and the second or third openings.

2. Canceled.

3. (Previously presented) The housing of claim 1 wherein the housing includes:

a back comprising the interface opening, and
a top covering the passage.

4. (Previously presented) The housing of claim 1 wherein the third opening is adjacent the second opening.

5. (Previously presented) The housing of claim 1 wherein:
the third opening is adjacent the second opening, and
the housing includes a top covering the passage, and a cap operable to close the third opening.

Appl. No. 10/800,235
Appeal Brief dated June 6, 2008
Reply to final Office action of January 31, 2008

6. (Original) The housing of claim 1 wherein the passage is substantially straight.
7. (Original) The housing of claim 1 wherein the passage is substantially rectangular.
8. (Original) The housing of claim 1 wherein:
the first opening has an area,
the second opening has an area, and
the area of the first opening does not equal the area of the second opening.
9. (Original) The housing of claim 1 wherein:
the first opening has an area,
the second opening has an area, and
the area of the first opening is smaller than the area of the second opening.
10. (Original) The housing of claim 1 wherein the passage tapers.
11. (Original) The housing of claim 1 wherein:
the housing further comprises a storage compartment, and
the second opening opens to the storage compartment.
12. (Previously presented) The housing of claim 1 wherein:
the housing further comprises a storage compartment, and includes a top covering the passage, and
the third opening is located on the top, and the second opening opens to the storage compartment.

13. (Previously presented) An electronic system, comprising:
circuitry having an interface; and
a housing that holds the circuitry, the housing defining an interface opening in which the interface is mounted and defining a passage having a first opening adjacent to the interface, having a second opening and a third opening, the circuitry that the housing holds not being disposed in the passage, the passage being operable to hold a communication medium coupled to the interface and to a device external to the housing without exposing the circuitry to the outside environment, wherein the medium extends from the interface through the first opening, and the second or third openings.
14. (Original) The system of claim 13 wherein the communication medium comprises a cable.
15. (Previously presented) A computer system, comprising:
computer circuitry having an interface; and
a housing that holds the circuitry, the housing defining an interface opening in which the interface is mounted and defining a passage having a first opening adjacent to the interface, having a second opening and a third opening, the circuitry held by the housing not being disposed in the passage, the passage being operable to hold a communication medium coupled to the interface and to a device external to the housing without exposing the circuitry to the outside environment, wherein the medium extends from the interface through the first opening, and the second or third openings.
16. (Previously presented) A method for coupling an external device to an interface mounted to a housing of an electronic system, the housing defining a passage and holding circuitry of the electronic system, the method comprising:
connecting a communication medium to the interface;

inserting the communication medium through the passage via first and second passage openings, the first opening being adjacent to the interface and the second opening being adjacent to the external device, the circuitry that the housing holds not being disposed in the passage; and

connecting the communication medium to the external device.

17. (Previously presented) The method of claim 16 wherein the second opening opens to an interior of a storage compartment defined by the housing.

18. (Previously presented) The method of claim 16 wherein the second opening opens to an environment outside the housing.

19. (Previously presented) The method of claim 16 further comprising disposing the external device on top of a storage compartment defined by the housing.

20. (Previously presented) The method of claim 16 further comprising storing the external device in a storage compartment defined by the housing.

21. Canceled.

22. (Previously presented) The housing of claim 1 wherein the communication medium extends through the interface opening.

23. (Previously presented) The method of claim 16 further comprising disposing the external device on top of the passage.

24. (Previously presented) The method of claim 16 further comprising:
connecting a second communication medium to the interface;
inserting the second medium through the passage via the first passage
opening and a third passage opening, the third opening being
adjacent to a second external device; and
connecting the second medium to the second external device.
25. (Previously presented) An electronic system comprising:
circuitry including an interface and a processor operable to execute a
program that causes the processor to perform a function;
a housing containing the circuitry and having a back that holds the
interface; and
a passage defined by a portion of the housing that has a sidewall and a
bottom, the bottom disposed between the passage and the circuitry,
the passage having a first opening adjacent the interface, a second
opening, and a third opening, the circuitry that the housing contains
not being disposed in the passage, the passage being operable to
hold a communication medium coupled to the interface and to a
device external to the housing without exposing the circuitry in the
housing to the outside environment, wherein the medium extends
from the interface through the first opening, and the second or third
openings.
26. (Previously presented) The electronic system of claim 1 wherein the
housing includes a top that covers the passage to form a tunnel.
27. (Previously presented) The electronic system of claim 1 wherein the
housing includes a top releasably fastened to at least one of the sidewalls to
convert the passage into a tunnel.

28. (Previously presented) The electronic system of claim 1 wherein the system is a personal computer.

Appl. No. 10/800,235
Appeal Brief dated June 6, 2008
Reply to final Office action of January 31, 2008

IX. EVIDENCE APPENDIX

None.

Appl. No. 10/800,235
Appeal Brief dated June 6, 2008
Reply to final Office action of January 31, 2008

X. RELATED PROCEEDINGS APPENDIX

None.